

oats and any similar article of food being contaminated with rodenticide filth while held at the building were eliminated;

(b) all of the thallium sulfate rodenticide was removed from all of the defendants' food storage structures and the use of any thallium sulfate rodenticide was permanently discontinued in all such food storage structures; or in the alternative, (i) all personnel having access to such structures were made fully aware that a thallium sulfate rodenticide was being used and were fully informed of its highly toxic nature and of the necessity for protecting stored foods from contamination by it, (ii) all thallium sulfate liquid rodenticide was colored with 0.5% nigrosine black dye, (iii) responsibility for control of thallium sulfate rodenticide in use in such food storage structures was vested in one person of established reliability, and this person was fully informed as to the acceptable procedures for use of thallium sulfate rodenticide and as to the potential hazards of careless use, and (iv) records were maintained which showed the location and amounts of thallium sulfate rodenticide used; and

(c) all of the oats which were on hand at the building at the time the building was cleaned, renovated, and rendered suitable for the storage of food for human consumption were destroyed, denatured for use as animal feed, or cleaned and otherwise reconditioned under the supervision of a duly authorized representative of the Food and Drug Administration, Department of Health, Education, and Welfare.

On 5-17-65, after an inspection of the subject premises by the representatives of the Food and Drug Administration, Department of Health, Education, and Welfare, showed satisfactory sanitary conditions existed at the elevator, the injunction was dissolved and the case dismissed pursuant to stipulation.

30230. Oats. (F.D.C. No. 50247. S. No. 57-132 A.)

QUANTITY: 100,000 lbs. at Sioux City, Iowa.

SHIPPED: 5-29-64, from Viborg, S. Dak., by Viborg Cooperative Elevator Association.

LIBELED: 7-2-64, N. Dist. Iowa.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for mercurial compounds on oats had been prescribed by regulations.

DISPOSITION: 11-2-64. Consent—claimed by Viborg Cooperative Elevator Association and denatured for use as seed.

30231. Oats. (F.D.C. No. 51470. S. No. 107-622 B.)

QUANTITY: 73,600 lbs. at Minneapolis, Minn.

SHIPPED: 7-19-65, from Adrian, N. Dak., by Adrian Equity Elevator Co.

LIBELED: 8-6-65, Dist. Minn.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a), since no tolerance and no exemption from the requirement of a tolerance for such pesticide chemical on oats had been prescribed by regulations.

DISPOSITION: 8-19-65. Consent—destruction.